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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/829,599	04/22/2004	Kuldipsingh A. Pabla	5681-75600	6853
58467	7590	06/04/2008		
MHKKG/SUN				
P.O. BOX 398				
AUSTIN, TX 78767				
EXAMINER				
JACOBS, LASHONDA T				
ART UNIT		PAPER NUMBER		
2157				
MAIL DATE		DELIVERY MODE		
06/04/2008		PAPER		

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/829,599

Applicant(s)

PABLA, KULDIPSINGH A.

Examiner

LASHONDA T. JACOBS

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 27 February 2008.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-52 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-52 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-946)
- 3) ☐ Information Disclosure Statement(s) (PTO/SF/ICE)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

This Office Action is in response to Applicant's amendment filed on February 27, 2008.

Claims 1-52 are still pending and presented for further examination.

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims **1-52** are rejected under 35 U.S.C. 102(e) as being anticipated by Strait (U.S. Pub. No. 2005/0015437).

As per claims **1, 21** and **29**, Strait discloses a grid computing system, comprising:

- a master node configured to manage a grid comprising one or more compute nodes (abstract and 0018-0019);
- a node configured to send the master node information about compute node configuration to the node in accordance with the one or more peer-to-peer platform protocols (paragraphs 0018 and 0022-0023);

wherein the master node is configured to:

- determine from the information about compute node configuration that the compute node configuration of the node needs to be updated (paragraphs 0018 and 0022-0023);
- and

- send update information for the compute node configuration that the compute node configuration of the node needs to be updated (paragraphs 0027-0030); and
- send update information for the compute node configuration to the node in accordance with the one or more peer-to-peer platform protocols (paragraphs 0027-0030).

As per claims **9** and **15**, Strait discloses a method, computer-accessible medium comprising:

- a node on a network sending a master node information about compute node configuration of the node in accordance with one or more peer-to-peer platform protocols, wherein the master node is configured to manage a grid comprising one or more compute nodes (abstract and 0018-0019);
- the master node determining from the information about compute node configuration that the compute node configuration of the node needs to be updated (paragraphs 0018 and 0022-0023); and
- the master node sending update information for the compute node configuration to the node (paragraphs 0018 and 0022-0023).

As per claims **36**, **37** and **45**, Strait discloses a system, method and computer-accessible medium configured to participate as compute node in a grid computing system comprising one or more compute nodes comprising:

- means for determining if compute node configuration of the system needs to be updated (paragraphs 0018 and 0022-0023);
- means for obtaining update information for the compute node (paragraphs 0018 and 0022-0023); and

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- means for updating the compute node configuration on the system in accordance with the update information (paragraphs 0018 and 0022-0023).

As per claim **22, 38** and **46**, Strait discloses:

- wherein the other node is a logically nearby node to the system on the network (paragraph 0018).

As per claims **23, 30, 39** and **47**, Strait discloses:

- wherein the node is a master node configured to manage the grid (paragraph 0018-

As per claims **24, 31, 40** and **48**, Strait discloses:

- wherein the node is a compute node in the grid (paragraphs 0026-0027).

As per claim **25**, Strait discloses:

- wherein the program instructions are further executed by the processor to discover the node in accordance with one or more peer-to-peer platform protocols (paragraphs 0018 and 0026-0027).

As per claims **2, 10, 16**, and **41**, Strait discloses:

- wherein the node is further configured to discover the master node in accordance with one or more peer-to-peer platform protocols (paragraphs 0018 and 0026-0027).

As per claims **3**, Strait discloses:

- wherein the node comprises a bootstrapping mechanism configured to discover the master node and to send the discovered master node information about compute node configuration in accordance with the one or more peer-to-peer platform protocols at startup of the node (paragraphs 0006, 0018 and 0026-0027).

As per claims **4, 11, 17, 32**, Strait discloses:

- wherein the node is further configured to update the compute node configuration in accordance with the update information (paragraphs 0027-0030).

As per claims 5, 12, 18, 26, 33, 42 and 50, Strait discloses:

- wherein the node is further configured to self-configure as a compute node in the grid in accordance with the updated grid configuration information (paragraphs 0037-0040).

As per claim 6, Strait discloses wherein the grid computing system further comprises a job submitter node and wherein the master node is further configured to:

- receive a job from the job submitter in accordance with the one or more peer-to-peer platform protocols (paragraphs 0018 and 0030-0037);
- distribute the job to the node for execution in accordance with the one or more peer-to-peer platform protocols (paragraphs 0018 and 0030-0037);
- receive the results of the execution from the node in accordance with the one or more peer-to-peer platform protocols (paragraphs 0018 and 0030-0037); and
- send the results to the job submitter node in accordance with the one or more peer-to-peer platform protocols (paragraphs 0018 and 0030-0037).

As per claims 7, 13, 19, 27, 34, 43 and 51, Strait discloses:

- wherein the grid computing system is configured according to Sun Cluster Grid architecture (paragraph 0018).

As per claims 8, 14, 20, 28, 35, 44 and 52, Strait discloses:

- wherein the peer-to-peer platform protocols are JXTA protocols (paragraph 0018).

Conclusion

3. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

U.S. Pub. No. 2005/0273511 to Ferreira et al

U.S. Pub. No. 2006/0168352 to Gebhart et al

U.S. Pub. No. 2006/193461 to Keohane et al

U.S. Pub. No. 2004/0019624 to Sukegawa

U.S. Pub. No. 2005/0154789 to Fellenstein et al

U.S. Pub. No. 2005/0188088 to Fellenstein et al

U.S. Pat. No. 6,750,766 to heitner et al

U.S. Pat. No. 7,340,654 to Bigagli et al

Any inquiry concerning this communication or earlier communications from the examiner should be directed to LASHONDA T. JACOBS whose telephone number is (571)272-4004. The examiner can normally be reached on 8:30 A.M.-5:00 P.M..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ario Etienne can be reached on 571-272-4001. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/LaShonda T Jacobs/
Primary Examiner, Art Unit 2157

ltj
November 26, 2007